



# TERREBONNE PARISH SCHOOL BOARD

**P. O. BOX 5097**

**HOUMA, LOUISIANA 70361**

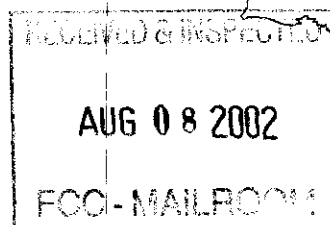
**Phone (504) 876-7400**

**Fax (504) 872-0054**



*Use  
4/6/02*

DOCKETED August 6, 2002 ORIGINAL



Federal Communications Commission (FCC)  
Office of the Secretary  
445-12<sup>th</sup> Street SW  
Washington, DC 20554

Dear Ladies and Gentlemen:

**Subject: LETTER OF APPEAL**

**Contact Information:**

District Name:	Terrebonne Parish Sch Board
Billed Entity No.:	139232
Contact Person:	Shirley Bilello
Address:	201 Stadium Drive, Houma, LA 70360
Phone:	985-876-7400
Fax No.:	985-872-1205
Email Address:	<a href="mailto:sbilello@tpsb.net">sbilello@tpsb.net</a>

**Administrator's Decision on Appeal:**

Billed Entity No.:	139232
471 Application Number:	285311
Funding Request Number:	742768
Decision on Appeal:	Denied in full
CC Docket Nos.:	96-45 and 97-21

This letter is an appeal of the **Administrator's Decision on Appeal – Funding Year 2002-2003** dated July 8, 2002 (Exhibit 5) from the Universal Service Administrative Company, Schools & Libraries Division.

We are requesting that you review the attached Exhibits:

- Exhibit 1:** Form 470 #352840000116488 originally filed 12/11/98
- Exhibit 2:** Important Notice from SLC about Form 470 #352840000116488 dated 1/25/99
- Exhibit 3:** Funding Commitment Decision Letter (Funding Year 2002) dated 4/24/02
- Exhibit 4:** Appeal letter from Terrebonne Parish School Board dated 5/1/02
- Exhibit 5:** Administrator's Decision on Appeal – Funding Year 2002-2003 dated 7/8/02

**AN EQUAL OPPORTUNITY EMPLOYER**

August 6, 2002

Page 2

Terrebonne Parish School Board has received E-Rate funding through the Universal Service Administrative Company (USAC) Schools and Libraries Division for telecommunications for frame relay services since 1998. The Terrebonne Parish School Board entered into a contract with its service provider in July 1998. The initial Form 470 requesting E-Rate funding for this contract was submitted and approved in December 1998. However, in April 2002, the USAC denied further funding of this contract. It appears that a clerical error made on the part of the Terrebonne Parish School Board is the cause of the denial of this application. 11

On April 24, 2002, Terrebonne Parish School Board received a Funding Commitment Decision Letter from the USAC (Exhibit 3) for Form 470 #352840000116488 stating that funding for Form 471 Application Number 285311 was denied. The Funding Commitment Decision explanation states, "A contract for new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD Web Site."

Terrebonne Parish School Board filed an appeal to this decision on May 1, 2002 (Exhibit 4) acknowledging that there was a clerical error on the Form 471. The incorrect Form 470 Universal Service Control Number (USCN) (#651040000260287) which was referenced on the Form 471 in question related to a different Form 470 that was previously filed for another service.

As of this date, it is unclear whether the USAC has corrected the clerical error and changed the Form 471 to reflect the correct Form 470 USCN as requested in the appeal letter dated May 1, 2002 (Exhibit 4).

We received an Administrator's Decision on Appeal letter dated July 8, 2002 (Exhibit 5) in response to our appeal. Paragraph 2 of the explanation states, "PIA denied this funding request by stating incorrectly that a new contract was signed prior to the 28 day waiting period when the request should have been denied because the correct Form 470 #352840000116488 did not meet the posting requirements for all funding requests." According to paragraph 3 of the explanation, the appeal was denied because "your application did not comply with the competitive bidding requirements that your Form 470 be posted on the Web Site for 28 days prior to your signing/renewing a contract for services or entering into an agreement for new services."

In a letter from the USAC dated January 25, 1999 (Exhibit 2) it is stated that, "Because your Form 470 lists only services currently being provided under pre-existing contracts, posting on the SLC Web Site for competitive bidding is not required." In addition, on July 12, 2002 a representative of Terrebonne Parish School Board spoke to Angie on the USAC's help line. She stated that any Form 470 containing a pre-existing contract is not required to be posted for the 28 day bidding process, and therefore there is no 28-day waiting period for filing the Form 471.

Federal Communication Commission (FCC)

August 6, 2002

Page 3

It is our understanding that since the initial Form 470 #352840000116488 was awarded under a pre-existing contract, this Form 470 was not required to be posted for bidding, and that the 28-day waiting period for posting this form on the SLD Web Site does not apply. There is no difference between the filing of the forms this year and the forms filed in previous years, except that the incorrect Form 470 number was referenced on the Form 471 due to clerical error as stated above.

Please consider reversing the decision of the Universal Service Administrative Company letter dated July 8, 2002, which denied our continued funding.

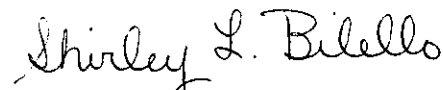
Sincerely,



Elizabeth Scurto  
Superintendent

Enclosures

E-Rate Contact Person:



Shirley L. Bilello  
Accountant

RECEIVED &amp; INSPECTED

AUG 08 2002

Exhibit 1

HOME | CANCEL | SAVE &amp; EXIT | HELP

FCC-MAILROOM

FCC Form

Approval by OMB  
3060-0806

470

**Schools and Libraries Universal Service  
Description of Services Requested  
and Certification Form**

Estimated Average Burden Hours Per Response: 6.0 hours

This form is designed to help schools and libraries describe the eligible telecommunications-related services they seek so that this data can be posted on a website and interested service providers can identify the applicant as a potential customer and compete to serve it.

Please read instructions before completing

(To be completed by entity that will negotiate with Providers.)

**Block 1: Applicant Address and Identifications**

(School, Library, or consortium desiring Universal Service funding.)

<b>1. Name of Applicant:</b> TERREBONNE PARISH SCH DISTRICT		<b>2. Funding Year:</b> 07/01/1999 - 06/30/2000	
<b>3a. NCES School Code (if individual school) Or NCES Library Code (if individual library)</b> State: 22 - District: 01740 - School/Library:			
<b>3b. Universal Service Control Number:</b> 352840000116488		<b>3c. Applicant ID Number:</b> 139232	
<b>4a. Type Of Applicant</b> (Check only one box.) <input type="radio"/> school <input checked="" type="radio"/> school district <input type="radio"/> library or library consortium under the LSTA <input type="radio"/> consortium of multiple entities			
<b>4b. If Applicant is a consortium, check all other boxes that apply:</b> <input type="checkbox"/> includes non-governmental entities ineligible for support <input type="checkbox"/> entity desires separate bills for each member of consortium <input type="checkbox"/> entity desires separate bills for some members of consortium <input type="checkbox"/> region of a state <input type="checkbox"/> statewide <input type="checkbox"/> multi-state		<input type="checkbox"/> state educational agency <input type="checkbox"/> local educational agency <input type="checkbox"/> educational service agency	
<b>5. Applicant's Street Address, P.O.Box, or Route Number</b> Street 201 STADIUM DR City BOUMA State LA Zip Code 5Digit 70360 Zip Code 4Digit  Telephone number Ext: (504) 8767400 205 E-mail Address gwhitfield@tpsb.net			
<b>6. Contact Person's Name:</b> Grace Whitfield Street Address, P.O.Box, or Route Number (if different from Item 5) Street 201 STADIUM DR City BOUMA State LA Zip Code 5Digit 70360 Zip Code 4Digit			

Fill in all of the following (if available), and check the preferred mode of contact:

<input type="radio"/> Telephone Number Ext: ( <input type="text" value="504"/> ) <input type="text" value="87674"/> <input type="text" value="205"/>	<input type="radio"/> Fax Number Ext: ( <input type="text" value="504"/> ) <input type="text" value="872120"/> <input type="text"/>	<input checked="" type="radio"/> E-mail address: <input type="text" value="gwhitfield@tpsb.net"/>	<input type="radio"/> Mail:
---	--	--	-----------------------------



---

Copyright 1997  
Schools and Libraries Corporation, Inc.

---

Hide Trailer	Request Review	Filtering Policy
--------------	----------------	------------------

• **SEARCH**

Powered by  **N2H2**

[HOME](#) | [CANCEL](#) | [HELP](#)

**Please Record This USC Number For Future Reference:  
This Number Must Be Used To Complete Your Application,  
If You Leave This Process Before The Application Is Completed.**

**USCN: 352840000116488**



HOME | CANCEL | SAVE &amp; EXIT | HELP



FCC Form

Approval by OMB  
3060-0806**470****Schools and Libraries Universal Service  
Description of Services Requested  
and Certification Form****Block 2: Other Characteristics Of Applicant**

<b>7a. Number of students:</b> 20395	<b>7b. Number of library patrons:</b> 
<b>8. Number of buildings to be served:</b> 113	<b>9. Number of rooms to be served:</b> 1388

**Block 3: Summary Description of Needs or Services Requested**

<b>10.</b> <input checked="" type="checkbox"/> Check if applicant seeks discounts only for eligible services based on one or more <b>existing, binding</b> contract(s) and proceed to Block 4.
<b>11.</b> <input type="checkbox"/> Check here if you have a Request for Proposal(RFP) available.If RFP is posted on a website, provide the website <input type="text"/>



---

Copyright 1997  
Schools and Libraries Corporation, Inc.

---

HOME | CANCEL | SAVE &amp; EXIT | HELP



FCC Form

Approval by OMB  
3060-0806

470

Schools and Libraries Universal Service  
Description of Services Requested  
and Certification Form

Block 3, Continued

10. Continued-List existing, binding contracts

Sequence #	Date Contract Signed	Contract Termination Date
1	07/16/1998	07/15/2003
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		

---

Copyright 1997  
Schools and Libraries Corporation, Inc.

---



HOME | CANCEL | SAVE &amp; EXIT | HELP

FCC Form

Approval by OMB  
3060-0806**470****Schools and Libraries Universal Service  
Description of Services Requested  
and Certification Form****Block 4: Technology Assessment**

18. Although the following services and facilities are ineligible for support, they are usually necessary if schools and libraries are to make effective use of the eligible services requested in this application. (If your application is only for basic voice telephone service, check this box ☐ and go to Item 19. Otherwise, you must check at least one box in each of the other lines. You may provide details for purchases being sought.)

a. Desktop communications software: Software required <input checked="" type="checkbox"/> has been purchased; and/or <input type="checkbox"/> is being sought.
b. Electrical systems: <input checked="" type="checkbox"/> adequate electrical capacity is in place or has already been arranged; and/or <input type="checkbox"/> upgrading for additional electrical capacity is being sought.
c. Computers: a sufficient quantity of computers <input checked="" type="checkbox"/> has been purchased; and/or <input type="checkbox"/> is being sought.
d. Computer hardware maintenance: adequate arrangements <input checked="" type="checkbox"/> have been made; and/or <input type="checkbox"/> are being sought.
e. Staff development: <input checked="" type="checkbox"/> all staff have had an appropriate level of training or additional training has already been scheduled; and/or <input type="checkbox"/> training is being sought.
f. Additional details: Use this space to provide additional details to help providers to identify the services or facilities you desire.
<div style="border: 1px solid black; height: 40px;"></div>

Copyright 1997  
Schools and Libraries Corporation, Inc.

HOME | CANCEL | SAVE &amp; EXIT | HELP

FCC Form

Approval by OMB  
3060-0806

470

Schools and Libraries Universal Service  
Description of Services Requested  
and Certification Form

## Block 5: Listing Consortium Participants

## 19. Eligible Entities

Please click on the Help button for specific instructions about completing this page

Zip Code:  OR NCES Code:  -  - 

Select zero or more entities. You may do multiple searches to add all eligible billed entities on this application.

Selection List

Billed Entity(ies)

&lt;select from list&gt;

&lt;select from list&gt;

TERREBONNE PARISH SCH DISTRICT

Check zero or more boxes where applicable. This option is **ONLY** for statewide applicants.

&lt;Select from the list&gt;

- ☐ All Public Schools in State
- ☐ All Private Schools in State
- ☐ All Public School Districts in State
- ☐ All Eligible Libraries in State

To add eligible entities not found in search, click NEXT and use the ADD NEW button.

HOME | CANCEL | SAVE &amp; EXIT | HELP



FCC Form

Approval by OMB  
3060-0806

470

Schools and Libraries Universal Service  
Description of Services Requested  
and Certification Form

## Eligible Entities

Billed Entity	Billed Entity's Zip code	Billed Entity code
TERREBONNE PARISH SCH DISTRICT	70360	139232

Copyright 1997  
Schools and Libraries Corporation, Inc.

HOME | CANCEL | SAVE &amp; EXIT | HELP

FCC Form

Approval by OMB  
3060-0806

470

Schools and Libraries Universal Service  
Description of Services Requested  
and Certification Form

ZIP Codes of recipients of service

Billed Entity: TERREBONNE PARISH SCH DISTRICT

70397	70344	70353	70356	70359
70360	70363	70364	70343	70377
70395				

If a billed entity has more than one ZIP code, you can enter additional ZIP codes here. To remove an additional ZIP code, delete it from the above list.

Copyright 1997  
Schools and Libraries Corporation, Inc.

[HOME](#) | [CANCEL](#) | [SAVE & EXIT](#) | [HELP](#)

FCC Form

Approval by OMB  
3060-0806**470****Schools and Libraries Universal Service  
Description of Services Requested  
and Certification Form****Block 5: Listing Consortium Participants****20. Entities Ineligible for Schools and Libraries Discount**

Please click on the Help button for specific instructions about completing this page

Zip Code:  OR NCES Code:  -  -

Select zero or more entities. You may do multiple searches to add all ineligible entities on this application.

Selection List

&lt;select from list&gt;

Billed Ineligible Entity  
(ies)

&lt;select from list&gt;

To add ineligible entities not found in search, click NEXT and use the ADD NEW button.

Copyright 1997  
Schools and Libraries Corporation, Inc.

HOME / CANCEL / HELP



FCC Form

Approval by OMB  
3060-0806

470

## Schools and Libraries Universal Service Program Description of Services Requested and Certification Form

I am sending in the list of individual billed entities (their zip codes and zip codes of their recipients of service) because I have more than 500 billed entities in Item 19, or in Item 20, or I have selected a state-wide check box in Item 19.

☐ Yes ☒ No

For applicants who check "Yes", the list is necessary to complete the certification process.

USCN: 352840000116488

**21. The applicant includes:(Check one or both)**

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities.

**22. All of the individual schools, libraries, and library consortia listed above in item 19 are covered by:**

- a. ☒ individual technology plans and/or
- b. ☒ higher-level technology plans for using the services requested in this application (if those services consist of other than voice services).

**23. Status of technology plan(check one):**

- a. ☒ Technology plan(s) has/have been approved; or
- b. ☐ Technology plan(s) will be approved by a state or other authorized body; or
- c. ☐ Technology plan(s) will be submitted to Schools and Libraries Corporation for approval.

**24. ☒** I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

**25. ☒** I recognize that support under this program is conditional upon-the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

**26. ☒** I certify that I am authorized to submit this request on behalf of the above-named applicant, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

27. Signature of authorized person 	28. Date 12-11-98
29. Printed name of authorized person Dr. Frank Fudesco	
30. Title or position of authorized person Superintendent	

USCN: 352840000116488  
TERREBONNE PARISH SCH DISTRICT  
201 STADIUM DR  
HOUMA, LA 70360-

Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.

NOTICE TO INDIVIDUALS: Section 54.504 of the Federal Communication Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Description of Services Requested and Certification Form (FCC Form 470) with the Universal Service Administrator, themselves or as part of a consortium. 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the personal information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation of potential violation of a FCC statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government, is a party of a proceeding before the body or has an interest in the proceeding.

If you owe a past due debt to the federal government, the taxpayer identification number (such as your social security number) and other information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide this information to these agencies through the matching of computer records when authorized.

With the exception of your social security number, if you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Privacy Act of 1974, Pub. L. No. 93-579, December 31, 1974, 5 U.S.C. § 552, and the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, D.C. 20554.

This form should be submitted to: SLC - Form 470  
P.O. Box 7026  
Lawrence, KS 66044-7026  
1-888-203-8100

Copyright 1997  
Schools and Libraries Corporation, Inc.

HOME | CANCEL | SAVE &amp; EXIT | HELP

FCC Form

Approval by OMB  
3060-0806

470

**Schools and Libraries Universal Service  
Description of Services Requested  
and Certification Form****21. The applicant includes:(Check one or both)**

- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the Elementary and Secondary Education Act of 1965, 20 U.S.C. Secs. 8801(14) and (25), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any school (including, but not limited to) elementary and secondary schools, colleges and universities.

**22. All of the individual schools, libraries, and library consortia listed above in item 19 are covered by:**

- a. ☒ individual technology plans and/or
- b. ☒ higher-level technology plans for using the services requested in this application(if those services consist of other than voice services).

**23. Status of technology plan(check one):**

- a. ☒ Technology plan(s) has/have been approved; or
- b. ☐ Technology plan(s) will be approved by a state or other authorized body; or
- c. ☐ Technology plan(s) will be submitted to Schools and Libraries Corporation for approval.

24. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value.

25. ☒ I recognize that support under this program is conditional upon the school(s) or library(ies) I represent securing access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to use the services purchased effectively.

26. ☒ I certify that I am authorized to submit this request on behalf of the above-named applicant, that I have examined this request, and to the best of my knowledge, information, and belief, all statements of fact contained herein are true.

29. Printed name of authorized person	Dr. Frank Fudesco
30. Title or position of authorized person	Superintendent



HOME / CANCEL / HELP



FCC Form

Approval by OMB  
3060-0806**470**

## Schools and Libraries Universal Service Program Description of Services Requested and Certification Form

At this point you have filled in all information for the Form 470 application. The final steps in the process are to:

- Verify** a final time that all information is correct in each block you have completed. Use the "Previous" button at the bottom of each screen to review your work.
- Use your browser** to print a copy of each screen in each block. Use the "Previous" and "Next" buttons at the bottom of each screen to move to each block of the Form 470. In each block, click on your browser's "File" button, and select the "Print" option. Please note there are multiple screens for Blocks 3-6.
- Click the "Next" button** at the bottom of this screen to electronically submit your Form 470 to the SLC.

**IMPORTANT NOTE:** by clicking "Next" you are simultaneously releasing your completed application to the SLC for posting, AND viewing a complete version of your Block 6 which must be printed out, signed, and submitted to the SLC (see "d" below). Clicking "Next" will prevent any further changes to the application. Please be sure that you are satisfied that all entries to the application are correct and you are fully authorized to release this form for posting before clicking "Next" on this page.

You must click "Next" to file your Form 470 and begin the required 28-day posting period. If you do not click "Next," you MAY NOT file a Form 471 pursuant to a Form 470.

- After clicking the "Next" button**, you will view the final screen of Block 6. You must click "Yes" or "No" at the top of the screen to indicate whether you are sending to the SLC a list of billed entities (included in your Form 470 application) along with your signed Block 6 certification page.
- Print out (using your browser), sign, and send in this Block 6 certification page.** When you print Block 6 using your browser, the form will automatically include your Form 470 Universal Service Control Number, Applicant Name, and Applicant Address. Item (27) must be signed by the person who will certify to the accuracy of the information on the form. Mail the signed Block 6 to:

SLC - Form 470  
P.O. Box 7026  
Lawrence, KS 66044-7026

**Note:** Do not mail the complete Form 470, mail only the signed Block 6 Certification.

**Note:** When you click the "Next" button, you are irreversibly submitting this Form 470 to the SLC. You should be authorized to select the "Next >>" button which irreversibly files this application.

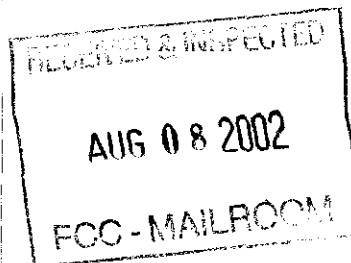




Schools and Libraries  
Division

Box 125 - Correspondence Unit  
100 South Jefferson Road  
Whippany, NJ 07981

Exhibit 2



*Form 470*

TERREBONNE PARISH SCH DISTRICT  
Grace Whitfield  
201 STADIUM DR  
HOUMA LA 70360-2732



DATE: 01/25/1999

Important Notice from  
The Schools and Libraries Corporation  
about your Form 470 Application

We are pleased to inform you that the Schools and Libraries Corporation (SLC) has received your properly completed FCC Form 470, Description of Services Requested. This letter provides important information about the processing of your Form 470 application. Please read this letter carefully and retain it for your records and future reference.

The SLC has assigned the following Universal Service Control Number (USCN) to your FCC Form 470: 352840000116488. Please record this number in a safe place. The USCN is used to track your Form 470, and it must be provided when completing a FCC Form 471, Services Ordered and Certification Form, that is based upon your Form 470 application. Any Form 471 applicant that intends to rely upon your Form 470 application must know the USCN for this application, and must be expressly listed in the Form 470 application in Item (19) of that Form. You may wish to share the USCN for your Form 470 application with those schools and/or libraries that are listed in Item (19) of your application to assist in their preparation of Form 471 applications.

The next step in the application process is the completion of a FCC Form 471 application, Services Ordered and Certification Form. Because your Form 470 lists only services currently being provided under pre-existing contracts, posting on the SLC Web Site for competitive bidding is not required. Your Form is, however, available for viewing: in order to assist you in matching the USCN in this letter with the appropriate Form 470 (if you have filed more than one), you may view your Form 470 in a special section of the SLC Web Site ( [www.slcfund.org](http://www.slcfund.org) ). FCC rules require a 28-day waiting period before the filing of a Form 471 for qualified pre-existing contracts. Accordingly, one or more Forms 471 related to this Form 470 may be submitted on or after 01/08/1999. A properly completed Form 471, with a signed Form 471 certification, must be received by the SLC no later than 03/11/1999 in order to meet the SLC 100-day window. If the earliest allowable submission date is after the window date, your application will not be considered together with those received within the window.

A properly completed certification for your Form 470 has been received and entered.

It is important to remember that not all requested services may necessarily be approved for discounts. Your application is subject to review by the SLC for a determination of funding eligibility before funds are committed. (This review will consider all program rules including eligibility of discount recipients, the contract signing dates of pre-existing contracts, and the eligibility of services for which discounts are requested.) In addition, availability of funds will be a factor in funding decisions. Therefore, you should consider the possibility of a denial of funding or a level of funding below your request, and include appropriate contingencies in contracts for any or all of the requested services.

If you have any questions, please call the SLC Client Service Bureau at 888-203-8100.

# USAC

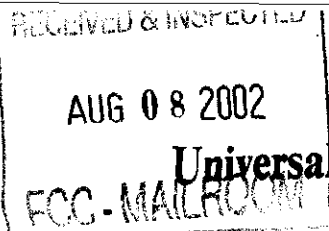


Exhibit 3

Universal Service Administrative Company  
Schools & Libraries Division

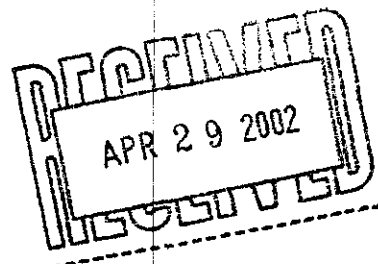
## FUNDING COMMITMENT DECISION LETTER

(Funding Year 2002: 07/01/2002 - 06/30/2003)

April 24, 2002

TERREBONNE PARISH SCH DISTRICT  
Grace Whitfield  
201 STADIUM DR  
HOUMA, LA 70360

Re: Form 471 Application Number: 285311  
Funding Year 2002: 07/01/2002 - 06/30/2003  
Billed Entity Number: 139232



Thank you for your Funding Year 2002 E-rate application and for any assistance you provided throughout our review. We have completed review of your Form 471. This letter is to advise you of our decision(s).

### FUNDING COMMITMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. We have reviewed each Discount Funding Request on your Form 471 application and have assigned a Funding Request Number (FRN) to each Block 5. The enclosed report includes a list of the FRNs from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) upon the filing of your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that defines each line of the Report.

### NEXT STEPS

**FILE FORM 486.** Once you have reviewed this letter and have determined that some or all of your requests have been funded, your next step to facilitate receipt of discounts as featured in this letter will be to file an FCC Form 486 with the SLD. The Form 486 notifies the SLD to begin payment to your service provider and provides certified indication that your technology plan(s) has been approved by an SLD certified Technology Plan Approver. The Form 486 and instructions and the list of SLD certified Technology Plan Approvers can be found on the SLD web site at <[www.sl.universalservice.org](http://www.sl.universalservice.org)> or you can call the SLD Client Service Bureau at 1-888-203-8100 and ask that the form be sent to you. The Form 486 dated July, 2001 in the lower right corner MUST be used for Funding Year 2002 and for any previous funding years. Submissions of earlier versions of the Form 486 will be returned to you and will not be able to be processed. As you complete Form 486, you should also contact your service provider to verify they have received notice from the SLD of your funding commitments. After the SLD processes your Form 486, we can process invoices for services that have been provided to you.

**DEADLINE FOR FORM 486.** Form 486 must be postmarked within 120 days of the Service Start Date featured on the Form 486 or within 120 days of the date of the Funding Commitment Decision Letter, whichever is later. If the Form 486 is postmarked after the later of those two dates, the date 120 days before the Form 486 postmark date will become the start date for discounted services. If the service start date is moved, your funding commitment may be reduced. You are advised to keep proof of the date of mailing of your form(s).

**REVIEW CIPA REQUIREMENTS.** On December 21, 2000, the Children's Internet Protection Act (CIPA) was signed into law. That law requires schools and libraries that receive Universal Service discounts for certain services to adopt an Internet safety policy incorporating the use of filtering or blocking technology on computers with Internet access as a condition of receiving those discounts. Funding Year 2002 may be the Second Funding Year for purposes of CIPA for one or more schools and/or libraries represented on your Form 486. (Funding Year 2002 is the Second Funding Year for purposes of CIPA for a school or library if a Form 486 for internet access or internal connections was successfully data entered for Funding Year 2001. See the section of the Form 486 Instructions entitled "Impact of CIPA Requirements on Form 486" for more information on First, Second and Third Funding Years.) If Funding Year 2002 is the Second Funding Year for purposes of CIPA for one or more schools and/or libraries represented on your Form 486, those school(s) and/or library(ies) must certify that they are in compliance with CIPA unless state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification otherwise required. A school or library so prevented may request a waiver for Funding Year 2002. Certification(s) for purposes of CIPA and CIPA waiver request(s) must be made on the Form 486 or the Form 479, whichever is appropriate. See the Form 486 Instructions and the Form 479 Instructions for more information. You may also refer to the SLD web site at <www.sl.universalservice.org> or call the Client Service Bureau at 1-888-203-8100 for more information about Form 486, Form 479, and the requirements of CIPA.

**FILE FORM 472 (APPLICANT) or FORM 474 (SERVICE PROVIDER).** After a Form 486 has been properly filed, the SLD must receive an invoice from either the applicant or the service provider in order to make payments for approved discounts on eligible services. Form 472, Billed Entity Applicant Reimbursement (BEAR) Form, is filed by the applicant; Form 474, Service Provider Invoice Form, is filed by the service provider.

**NEW DEADLINES FOR INVOICES.** Invoices must be postmarked within 90 days of the last date to receive service or within 90 days of the date of the Form 486 Notification Letter, whichever is later. If an invoice is postmarked after the later of those two dates, payment will be denied.

#### **TO APPEAL THESE FUNDING COMMITMENT DECISIONS**

If you wish to appeal the Funding Commitment Decision(s) (FCD) indicated in this letter, your appeal must be RECEIVED BY THE SCHOOLS AND LIBRARIES DIVISION (SLD) WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify which FCD Letter you are appealing. Indicate the relevant funding year and the date of the Funding Commitment Decision Letter. Your letter of appeal must also include the applicant name, the Form 471 Application Number, and the Billed Entity Number from the top of your FCD Letter.
3. Identify the particular Funding Request Number (FRN) that is the subject of your appeal. When explaining your appeal, include the precise language or text from the Funding Commitment Decision Letter that is at the heart of your appeal. By pointing us to the exact words that give rise to your appeal, the SLD will be able to more readily understand and respond appropriately to your appeal. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by calling the Client Service Bureau.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket Nos. 96-45 and 97-21 on the first page of your appeal to the FCC. Your appeal must be RECEIVED BY THE FCC WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER. Failure to meet this requirement will result in automatic dismissal of your appeal. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by calling the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options because of continued substantial delays in mail delivery.

to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the universal service mechanisms for schools and libraries. FCC Form 471 Applicants who have received funding commitments continue to be subject to audits and other reviews that SLD or the Federal Communications Commission may undertake periodically to assure that funds have been committed and are being used in accordance with all such requirements. If the SLD subsequently determines that its commitment was erroneously issued due to action or inaction, including but not limited to that by SLD, the Applicant, or Service Provider, and that the action or inaction was not in accordance with such requirements, SLD may be required to cancel these funding commitments and seek repayment of any funds disbursed not in accordance with such requirements. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

We look forward to continuing our work with you on connecting our schools and libraries through advanced telecommunications services.

Sincerely,

Schools and Libraries Division  
Universal Service Administrative Company

Enclosures

## A GUIDE TO THE FUNDING COMMITMENT REPORT

Attached to this letter will be a report for each E-rate funding request from your application. We are providing the following definitions.

**FUNDING REQUEST NUMBER (FRN):** A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471 once an application has been processed. This number is used to report to Applicants and Service Providers the status of individual discount funding requests submitted on a Form 471.

**FUNDING STATUS:** Each FRN will have one of three definitions: "Funded," "Not Funded," or "As Yet Unfunded."

1. An FRN that is "Funded" will be approved at the level that SLD determined is appropriate for that item. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
2. An FRN that is "Not Funded" is one for which no funds will be committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision," and amplification of that explanation may be offered in the section, "Funding Commitment Decision Explanation." An FRN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funding available for this Funding Year was insufficient to fund all requests.
3. An FRN that is "As Yet Unfunded" reflects a temporary status that is assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for internal connections at a particular discount level. For example, if your application included requests for discounts on both telecommunications services and internal connections, you might receive a letter with our funding commitment for your telecommunications funding requests and a message that your internal connections requests are "As Yet Unfunded." You would receive a subsequent letter(s) regarding the funding decision on your internal connections requests.

**SERVICES ORDERED:** The type of service ordered from the service provider, as shown on Form 471.

**SPIN (Service Provider Identification Number):** A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

**SERVICE PROVIDER NAME:** The legal name of the service provider.

**CONTRACT NUMBER:** The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on Form 471.

**BILLING ACCOUNT NUMBER:** The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on Form 471.

**EARLIEST POSSIBLE EFFECTIVE DATE OF DISCOUNT:** The first possible date of service for which the SLD will reimburse service providers for the discounts for the service.

**CONTRACT EXPIRATION DATE:** The date the contract expires. This will be present only if a contract expiration date was provided on Form 471.

**SITE IDENTIFIER:** The Entity Number listed in Form 471, Block 5, Item 22a will be listed. This will appear only for "site specific" FRNs.

**ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE RECURRING CHARGES:** Eligible monthly pre-discount amount approved for recurring charges multiplied by number of months of recurring service provided in the funding year.

**ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE NON-RECURRING CHARGES:** Annual eligible non-recurring charges approved for the funding year.

**PRE-DISCOUNT AMOUNT:** Amount in Form 471, Block 5, Item 23, Column I, as determined through the application review process.

DISCOUNT PERCENTAGE APPROVED BY THE SLD: This is the discount rate that the SLD has approved for this service.

FUNDING COMMITMENT DECISION: This represents the total amount of funding that the SLD has reserved to reimburse service providers for the approved discounts for this service for this funding year. It is important that you and the service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only for eligible, approved services actually rendered.

FUNDING COMMITMENT DECISION EXPLANATION: This entry may amplify the comments in the "Funding Commitment Decision" area.

# FUNDING COMMITMENT REPORT

Form 471 Application Number: 285311  
Funding Request Number: 742768 Funding Status: Not Funded  
Services Ordered: Telecommunications Service  
SPIN: 143004824 Service Provider Name: BellSouth Telecommunications, Inc.  
Contract Number: LA96-7068-06  
Billing Account Number: 505 M21-8722 722  
Earliest Possible Effective Date of Discount: 07/01/2002  
Contract Expiration Date: 07/15/2003  
Annual Pre-discount Amount for Eligible Recurring Charges: \$197,882.28  
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00  
Pre-Discount Amount: \$197,882.28  
Discount Percentage Approved by the SLD: N/A  
Funding Commitment Decision: \$0.00 - 28 Day Waiting Period Violated  
Funding Commitment Decision Explanation: A contract for a new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD Web Site.



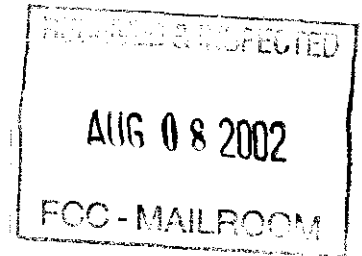
# USAC

Schools and Libraries Division  
Box 125 - Correspondence Unit  
80 South Jefferson Road  
Whippany, New Jersey 07981

00012  
TERREBONNE PARISH SCH DISTRICT  
Grace Whitfield  
201 STADIUM DR  
HOUMA, LA 70360



**Terrebonne Parish School Board**  
**201 Stadium Drive**  
**Houma, LA 70360**



May 1, 2002

Letter of Appeal  
Schools and Libraries Division  
Box 125 – Correspondence Unit  
60 South Jefferson Road  
Whippany, NJ 07981

Dear Ladies and Gentlemen

**Subject: LETTER OF APPEAL**

**Contact Information:**

District Name:	Terrebonne Parish Sch Board
Billed Entity No.:	139232
Contact Person:	Grace Whitfield
Address:	201 Stadium Drive, Houma, LA 70360
Phone:	985-876-7400
Fax No.:	985-872-1205
Email Address:	<u><a href="mailto:gwhitfield@tpsb.net">gwhitfield@tpsb.net</a></u>

**Funding Commitment Decision Letter:**

Form 471 Application Number: 285311  
Funding Year 2002: 07/02/2002 – 06/30/2003  
Billed Entity Number: 139232  
Funding Request Number 742768

I am **appealing** the funding decision for **Form 471 No. 285311**. Funding for Application Form 471 No. 285311 for Frame Relay for the district was denied. The explanation stated the application was denied because a contract for a new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD Web Site. **Contract No. LA96-7068-06 is a five-year contract and was signed July 1998.** I know that you do not file a Form 470 for an existing contract signed prior to filing the 471. However, when I filed my Form 471, I referenced the wrong Form 470 for 2002-2003 year.

All the proper guidelines were followed. Therefore, I am asking that you PLEASE reconsider this application and change Form 470 Application No from 651040000260287 to **Form 470 No. 352840000116488**. This was a clerical error. We have received funding for frame relay since 1998 using this same contract. Form 470 No. 352840000116488 was filed with the initial request and should be used for Application 471 No. 285311.

Page 2

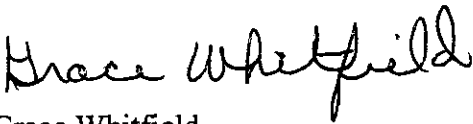
**USAC--Letter of Appeal**

**May 1, 2002**

Please reconsider your decision regarding the funding for telecommunication services for frame relay for Terrebonne Parish so that our schools can be connected through advanced telecommunication services. I called 1-888-203-8100 to see if I needed to send in a copy of Form 470 No. 352840000116488, they told me it was not necessary. However, if you need any additional documentation or information, please call or email me. (gwhitfield@tpsb.net)

Thank you for reconsidering the funding commitment for telecommunications for our district. Anything you can do to help connect our schools would be greatly appreciated.

Sincerely

A handwritten signature in cursive script that reads "Grace Whitfield".

Grace Whitfield  
Erate Contact Person

**Documentation Enclosures:**

Bell South Contract  
Form 470 No. 352840000116488  
Email notification of Letter of Appeal (emailed letter 5/1/02)  
Funding Commitment Letter for Form 471 No. 285311



Universal Service Administrative Company  
Schools & Libraries Division

Exhibit 5

AUG 08 2002

RECEIVED & INSPECTED  
FCC-MAILROOM

**Administrator's Decision on Appeal - Funding Year 2002-2003**

July 8, 2002

Grace Whitfield  
Terrebonne Parish School District  
201 Stadium Drive  
Houma, LA 70360

Re: Billed Entity Number: 139232  
471 Application Number: 285311  
Funding Request Number(s): 742768  
Your Correspondence Dated: May 1, 2002

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year Five Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 742768  
Decision on Appeal: **Denied in full**  
Explanation:

- You stated in your appeal letter that the basis for SLD's denial is that a contract for a new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD Web site. You also stated that you have a five-year contract with BellSouth for a period of five-year for the services requested on your Form 471 and that due to a clerical error you referenced the wrong Form 470 # on Block 5, Item 12 of your Form 471. You would like SLD to change the Form 470 listed on your original Form 471 to Form #352840000116488.

- *After a complete review of your appeal, it was discovered that during your Form 471's PIA review process, you were contacted and requested to provide the establishing Form 470 for the services requested on your Form 471. The establishing Form 470 is the specific Form 470, which was posted for that particular service for at least 28 days, and pursuant to which, a contract was signed or an agreement was entered into. You responded to PIA reviewer request via fax (dated January 15, 2002) stating that Form 470 #352840000116488 is the establishing Form 470 used to comply with program's bidding requirement. PIA denied this funding request by stating incorrectly that a new contract was signed prior to the 28 day waiting period when the request should have been denied because the correct Form 470 #352840000116488 did not meet the posting requirements for all funding requests.*
- The contract copy attached to your appeal letter shows that you signed a contract with BellSouth telecommunications on July 16, 1998. The establishing Form 470 (352840000116488) cited on your appeal letter 471, had never been posted since Item 10 was checked (contract award and expiration date entered within Item 10) for pre-existing contracts. Since the services requested were not posted you are in violation of program competitive rules. The competitive bidding process requires a 28-day period during which service providers (vendors) may bid on the services you have requested on your Form 470. The FCC established this mandatory bidding period to benefit both service providers and applicants. Service providers have greater access to potential customers, and applicants gain greater choice in service provider selection. You have not claimed that this Form 471 relates to a different Form 470 other than the Form 470 indicated above. Consequently, SLD denies your appeal because your application did not comply with the competitive bidding requirement that your Form 470 be posted on the website for 28 days prior to your signing/renewing a contract for services or entering into an agreement for new services.
- FCC rules require that except under limited circumstances, all Forms 470 received be posted on the website for 28 days, and that applicants carefully consider all bids received before selecting a vendor, entering into an agreement or signing a contract, and signing and submitting a Form 471. See 47 C.F.R. §§ 54.504; 54.511(a), (c). FCC rules further require that the Administrator send the applicant a confirmation when the Form 470 has been posted, and inform the applicant of the date after which the applicant may sign a contract with the vendor it selects. See 47 C.F.R. § 54.504(b)(4). These competitive bidding requirements help ensure that applicants receive the lowest pre-discount price from vendors. See *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order on Reconsideration, 12 FCC Rcd 10095, 10098 ¶ 9 (1997).

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC) via United States Postal Service: FCC, Office of the Secretary, 445-12<sup>th</sup> Street SW, Washington, DC 20554. If you

are submitting your appeal to the FCC by other than United States Postal Service, check the SLD web site for more information. Please reference CC Docket Nos. 96-45 and 97-21 on the first page of your appeal. **The FCC must RECEIVE your appeal WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER for your appeal to be filed in a timely fashion.** Further information and new options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site, [www.sl.universalservice.org](http://www.sl.universalservice.org).

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company